

PANISH | SHEA | BOYLE | RAVIPUDI LLP  
DANIEL W. DUNBAR, State Bar No. 100607  
*ddunbar@psbr.law*  
11111 Santa Monica Boulevard, Suite 700  
Los Angeles, California 90025  
Telephone: 310.477.1700  
Facsimile: 310.477.1699

Attorneys for Plaintiff Charles James  
Ericsson

**UNITED STATES DISTRICT COURT**  
**CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

CHARLES JAMES ERICSSON, an  
individual,

Plaintiff,

v.

UNITED STATES OF AMERICA,  
Defendant.

Case No.

**PLAINTIFF'S COMPLAINT**

**1. FTCA - NEGLIGENCE**

**DEMAND FOR JURY TRIAL**

**INTRODUCTION**

1. Plaintiff CHARLES JAMES ERICSSON brings this action against Defendant UNITED STATES OF AMERICA alleging negligence resulting from a motor vehicle collision on September 29, 2020. ("SUBJECT INCIDENT")

2. At the time of the collision, while in the course and scope of his employment with the United States Homeland Security ("VEHICLE #1"), Dwarika Boodoo was operating a 2018 White Ford Explorer on Interstate 5. Dwarika Boodoo negligently traveled out of his lane of travel and directly collided into a 2015 Subaru Crosstrek driven by Decedent Maria De La Luz Torres ("VEHICLE #2").

As a result, both VEHICLE 1 and VEHICLE 2 traveled out of control to the right into the #5 lane and directly into the path of Plaintiff CHARLES JAMES

1 ERICSSON and collided into Plaintiff CHARLES JAMES ERICSSON's truck  
2 ("SUBJECT TRUCK").

3 3. As a result, of this collision, Plaintiff CHARLES JAMES ERICSSON  
4 sustained significant physical, mental, and emotional personal injuries.

### 5 **PARTIES**

6 4. At all times relevant herein, Plaintiff Charles Ericsson is a United  
7 States citizen, a citizen and resident of the State of California, County of Los  
8 Angeles.

9 5. Defendant UNITED STATES OF AMERICA (UNITED STATES), is  
10 a government entity organized and existing under the laws of the United States of  
11 America and conducting regular business in the State of California, County of Los  
12 Angeles. Plaintiff is informed and believes, and thereupon alleges, that at the time of  
13 the SUBJECT INCIDENT, Dwarika Boodoo negligently caused injuries to Plaintiff  
14 CHARLES JAMES ERICSSON while in the course and scope of his employment  
15 with the Department of Homeland Security, an entity under the United States  
16 Government's Federal Executive Department. Plaintiff is informed and believes,  
17 and thereupon allege, that Mr. Boodoo was acting in his employment with the  
18 Department of Homeland Security and driving a vehicle owned by the General  
19 Services Administration, an agency of Defendant the UNITED STATES, when he  
20 caused the collision with VEHICLE #2 which ultimately collided with the  
21 SUBJECT TRUCK, and therefore was the agent of the Department of Homeland  
22 Security for purposes of the Federal Tort Claims Act, 28 U.S.C. §§ 1346(b), 2671-  
23 2680 (hereinafter FTCA), and was acting under the immediate jurisdiction of such  
24 government entity, thereby making the Defendant UNITED STATES liable for his  
25 acts and omissions.

### 26 **JURISDICTION VENUE AND STANDING**

27 6. This Court's jurisdiction over claims against the UNITED STATES  
28 arises under 28 U.S. Code §§ 1331(b), 1346(b), and the FTCA, 28 U.S.C. §§ 2671-

1 2680.

2 7. Venue is proper in this district pursuant to 28 U.S.C. §§ 1391(b) and  
3 1402(b) because it is the federal district in which a substantial part of the events or  
4 omissions giving rise to these claims occurred.

5 8. Plaintiff presented an Administrative Claim to The Department of  
6 Homeland Security, the appropriate Federal Agency, for the SUBJECT INCIDENT  
7 on February 19, 2021. This claim was received by The Department of Homeland  
8 Security on February 24, 2021.

9 9. The Department of Homeland Security responded on July 29, 2022  
10 denying Plaintiff's claim; accordingly pursuant to 28 U.S.C. § 2401, Plaintiff has a  
11 right to sue the UNITED STATES in law (FTCA).

12 10. Plaintiff's Administrative Claims has been perfected under FTCA, to  
13 the extent such perfection is required, and now Plaintiff commences this action  
14 pursuant to 28 U.S. Code § 2675 and § 2401.

15 **GENERAL ALLEGATIONS**

16 11. On September 29, 2020, at approximately 7:56 a.m. (or before),  
17 Plaintiff CHARLES JAMES ERICSSON suffered personal injuries while driving  
18 southbound on Interstate 5 in the City of Los Angeles, County of Los Angeles, State  
19 of California, when Dwarika Boodoo, while in the course and scope of his duties for  
20 Defendant UNITED STATES and driving VEHICLE #1 owned and maintained by  
21 Defendant UNITED STATES, traveled out of his lane of travel and directly collided  
22 into VEHICLE #2. As a result, both VEHICLE #1 and VEHICLE #2 traveled out of  
23 control to the right into the #5 lane and directly into the path of Plaintiff CHARLES  
24 JAMES ERICSSON and collided the SUBJECT TRUCK. Plaintiff CHARLES  
25 JAMES ERICSSON suffered personal injuries as a result of the impact.

26 12. At all times relevant during the SUBJECT INCIDENT, Plaintiff  
27 CHARLES JAMES ERICSSON was operating an International 3 Axle 2020  
28 Commercial Truck, SUBJECT TRUCK.



1 CHARLES JAMES ERICSSON.

2 18. Plaintiff is informed, believes, and thereupon alleges that the conduct  
3 of Dwarika Boodoo who was driving the vehicle that caused the SUBJECT  
4 INCIDENT, occurred while Dwarika Boodoo was within the course and scope of  
5 his employment, agency and/or service with Defendant UNITED STATES, which is  
6 vicariously liable for the same negligent conduct.

7 19. As a legal, direct and proximate result of the aforementioned conduct  
8 of Defendant UNITED STATES, Plaintiff CHARLES JAMES ERICSSON suffered  
9 physical, mental, and emotional injuries, which compelled, Plaintiff CHARLES  
10 JAMES ERICSSON to employ the services of hospitals, doctors, physicians,  
11 paramedics, and nurses. Plaintiff is further informed and believes, and thereon  
12 alleges, that, Plaintiff CHARLES JAMES ERICSSON suffered lost earnings and  
13 earning capacity, the exact amount of such losses to be stated according to proof.

#### 14 **PRAYER FOR DAMAGES**

15 WHEREFORE, Plaintiff CHARLES JAMES ERICSSON hereby prays for  
16 judgment against Defendant for \$6,000,000 as follows:

17 1. For all available general damages (also known as non-economic  
18 damages);

19 2. For all available special damages (also known as economic damages),  
20 including but not limited to, past hospital, medical, professional, and incidental  
21 expenses and loss of past, present, and future earnings according to proof;

22 3. For costs of suit and prejudgment interest as awardable by law;

23 4. For such other and further relief as the Court may deem just and proper.

24 ///

25 ///

26 ///

27 ///

28 ///

**DEMAND FOR JURY TRIAL**

Plaintiffs demand a jury trial pursuant to Rule 38 of the Federal Rules of Civil Procedure and the Seventh Amendment of the U.S. Constitution, on all causes of action as to all Defendants.

DATED: September 12, 2022

PANISH | SHEA | BOYLE | RAVIPUDI LLP

By: 

Daniel W. Dunbar

Attorneys for Plaintiff Charles James  
Ericsson

PANISH | SHEA | BOYLE | RAVIPUDI LLP

psbriaw.com